



**Milwaukee County Employees' Retirement System (ERS)
January 12, 2021 Appeals and Rules Committee Meeting
MINUTES**

Call to Order

Committee Chair David Robles called the Appeals and Rules Committee meeting to order at 10:05 a.m. on Tuesday, January 12, 2021. The meeting was held virtually due to Milwaukee County's and the City of Milwaukee's Stay Safe MKE initiative limiting gatherings in light of the COVID-19 pandemic.

Committee Members Present:

Jeff Gollner
LaValle Morgan
David Robles

Others Present:

Erika Bronikowski
Jessica Culotti
Judd Taback
Rachel Preston
Turkessa McCoy
Tasha Ford

1. Topic: Chairperson's Report

Trustee Robles thanked the Committee members for joining the meeting. He noted that over the past week, things outside of Wisconsin have been tumultuous.

He continued by noting that revised meeting materials for items four and five were circulated to the Committee just before the meeting. The original materials combined items four and five. The revised materials had no changes other than to split the materials for each item for separate consideration because they deal with two different topics.

2. Topic: Contribution Refunds Update

Ms. Bronikowski explained that the Pension Board has recently been exploring ways to address the increasing volume of appeals regarding contribution withdrawals. This is an informational update on the status of the work to-date on that topic.

In May 2020, the Pension Board considered several actions, including passing a resolution that requested the partnership of the Milwaukee County Human Resources Department and Retirement Plan Services office to enhance the communication and education for members of ERS on their pension contributions. That resolution passed in September 2020 and is currently being implemented.

The Board also passed changes to Rule 1040 in July 2020 that delegated to Retirement Plan Services the responsibility for determining whether an individual had received notice of the opportunity to withdraw their contributions. This was followed by further clarification in Rule 1040 regarding individuals who submitted incomplete applications for withdrawing contributions.

Ms. Bronikowski explained that this is a quarterly report that was requested in 2020 to assess the impact of the actions the Board took on this topic. In the fourth quarter of 2020, two members completed affidavits swearing that they had not received their contribution withdrawal packets which allowed the Retirement Plan Services office to process their requests to withdraw their pension contributions. Additionally, no requests for appeal to the Pension Board on the topic have been received.

In response to questions from Chairman Robles on the language that is communicated by the Human Resources Department on pension contributions, Ms. Bronikowski confirmed that the Retirement Plan Services team provides this language to the Human Resources Department.

3. Topic: 2021 Employee Member Election and Pension Board Rule 1020

Ms. Bronikowski explained that each year, an elected employee trustee's term expires and an election is held to determine who will fill their seat on the Pension Board. There are three elected employee trustees who have three-year terms and they are staggered such that one of their terms expires each year on February 28th. To fill

the elected employee seat, an election is held among active members of ERS. To be considered for candidacy, interested employees must be nominated by 100 of their peers through collecting signatures supporting their nomination.

Due to the COVID-19 pandemic, electronic signatures from employees were collected via DocuSign in place of wet signatures from nominators.

The deadline for submission of nominating signatures was January 4, 2021. No one met the requirements to be nominated.

Ms. Bronikowski explained that the nomination process is governed by Pension Board Rule 1020. This situation has happened in the past and historically, the Retirement Plan Services office has responded by immediately beginning the process for a special election and effectively restarting the nomination process. Given the impact of the pandemic, she noted that the 100-signature threshold may not be attainable at present. Her office is looking for direction from the Committee on how to proceed.

Trustee Gollner noted that in his experience it is challenging to collect 100 nominating signatures and that it may be even tougher during the pandemic.

Chair Robles noted that restarting the process may not be the best option because employees are still working under largely the same conditions and, thus, collecting 100 signatures may continue to be unattainable.

Attorney Culotti explained that the Wisconsin Retirement System requires 25 nominating signatures for candidacy on its boards.

Given the progress toward widespread vaccination and the subsequent return to in-person work, Chairman Robles asked that his item be tabled until the next meeting to assess the progress on the County's reopening plans before proceeding with an in-person nomination process.

4. Topic: Rule Amendments Regarding Furlough Service Credit

The Committee voted unanimously to enter closed session to discuss Agenda item 4, Rule Amendments Regarding Furlough Service Credit. Returning to open session after discussion, the Committee took the following action. A motion by Trustee Gollner, seconded by Trustee Morgan, was made to recommend to the Pension Board that the Board adopt the changes to Pension Board Rules 301, 302, 303, and 304 to align them to the recent revisions to Milwaukee County General Ordinance Chapter 201.24 (8.7). The motion passed unanimously.

5. Topic: Rule Amendments Regarding Chairperson Elections

The Committee voted unanimously to enter closed session to discuss Agenda item 5, Rule Amendments Regarding Chairperson Elections. Returning to open session after discussion, the Committee took the following action. A motion by Trustee Gollner, seconded by Trustee Morgan, was made to recommend to the Pension Board to adopt the changes to Pension Board Rule 1041 to clarify that the Chair and Vice Chair of the Pension Board and Chair of each Committee are elected biennially, in even years, and that the proposed section 2(d) be removed from the Rule. The motion passed unanimously.

6. Topic: Disability Retirement Appeals

The Committee voted unanimously to enter closed session to discuss Agenda item 4, Disability Retirement Appeals. Returning to open session after discussion, the Committee took the following action. A motion by Trustee Morgan, seconded by Trustee Gollner, was made to recommend to the Pension Board that a workgroup be established to address open issues surrounding the disability retirement benefits and processes. The motion passed unanimously.

The proposed workgroup makeup and preliminary analysis of open issues will be provided at the next Pension Board meeting.

7. Topic: Adjournment

The meeting adjourned at 11:20 a.m.